IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE R.BASANT

THURSDAY, THE 13TH SEPTEMBER 2007 / 22ND BHADRA 1929

Crl.MC.No. 2671 of 2007()

AGAINST THE ORDER DATED 04/08/2007 IN CMP 1110 2007 IN CC.36/2006 of J.F.M.C - IV, NEYYATTINKARA

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PETITIONER: COMPLAINANT

A.GNANADAS, S/O ASSARI,
DAS BHAVAN, IRUMBIL, ARUVIPURAM P.O.,
NEYYATTINKARA.

BY ADV. SRI.BLAZE K.JOSE

RESPONDENTS: ACCUSED

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1. BIJU, S/O PALAYYAN,
MOOZHIYAMTHOTTAM, ROADARIKATHU VEEDU,
RAMESWARAM, AMARVILA P.O.

2. STATE OF KERALA, REPRESENTED BY
PUBLIC PROSECUTOR, HIGH COURT OF KERALA,ERNAKULAM.

BY PUBLIC PROSECUTOR SRI.M.S.BREEZ

THIS CRIMINAL MISC. CASE HAVING COME UP FOR ADMISSION ON 13/09/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

R.BASANT, J.

Crl.M.C.No.2671 of 2007

Dated this the 13th day of September 2007

O R D E R

The petitioner faces indictment in a prosecution under Section 138 of the Negotiable Instruments Act. The petitioner's application to forward the cheque to the expert was dismissed by Annexure-II order. But it is submitted that subsequently an application has been filed before the learned Magistrate and the learned Magistrate has permitted the petitioner to summon the Bank Manager to appear along with specimen signature card and other relevant documents. The learned counsel for the petitioner submits that, in these circumstances, the petition filed by the petitioner may be dismissed without prejudice to the rights of the petitioner, if necessary, to file later applications before the learned Magistrate to forward the cheque to the expert and seek appropriate orders thereon. Request accepted.

2. This petition is dismissed as withdrawn.

(R.BASANT, JUDGE)

jsr // True Copy// PA to Judge

R.BASANT, J.

CRL.M.CNo.

ORDER

21ST DAY OF MAY2007